



Shihata & Geddes LLP

155 Water Street (DUMBO)  
Brooklyn, New York 11201  
www.shihatageddes.com  
646-974-1143

March 4, 2024

The Honorable Nina R. Morrison  
United States District Judge  
United States District Court  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Michael Walker v. City of New York, et al.  
Civil Docket No. 14-00680 (NRM) (PK)

Dear Judge Morrison,

Pursuant to the Court's November 15, 2023 trial management order, the parties write to provide the Court with an update as to discovery in this matter. Since the agreed-upon limited reopening of discovery in November 2023, the parties have made limited disclosures and conducted three depositions. Specifically, counsel for Plaintiff conducted limited depositions of two individuals, both of whom were police officers with the New York City Police Department and were involved with the stop of Michael Walker on February 2, 2013, and counsel for Defendants conducted a full deposition of an individual identified by Plaintiff who reported witnessing the February 2, 2013 shooting of Mr. Walker.

While the parties initially anticipated concluding fact discovery on or before March 3, 2024, the parties have agreed to extend fact discovery for 30 days (*i.e.*, until April 2, 2024) to allow for Plaintiff to conduct additional limited depositions<sup>1</sup> and obtain and review additional information that is in the possession of Defendants. We initially anticipated concluding expert discovery on or before May 3, 2024, but we may require additional time to conclude such discovery as well.<sup>2</sup> In any event, trial in this matter is scheduled to begin on September 16, 2024 and the parties do not believe the limited extensions will have an effect upon the previously-scheduled trial date.

Finally, Plaintiff further writes to inquire as to the status of his June 28, 2023 motion to compel Plaintiff's former counsel, Andrew Plasse, to produce the entirety of Plaintiff's file to his new counsel without the payment of any lien. See Dkt. No. 206. On July 12, 2023, the Court


---

<sup>1</sup> The depositions have been delayed due to Defendants' need to locate certain individuals who have separated from the NYPD and to accommodate defense counsel's trial schedule and witness scheduling conflicts.

<sup>2</sup> The parties agreed to extend the date to provide expert notices until April 15, 2024.

referred this motion to the Honorable Orelia Merchant, who then referred the matter in the first instance to Magistrate Judge Robert Levy. See 23-MC-01799 (OEM) (RML). After full briefing, Judge Levy held oral argument on the motion on July 23, 2023. On December 1, 2023, a “non reportable closing” was entered on the docket in the 23-MC-01799 case stating that the “[m]otion to compel should be addressed in” the above-captioned case.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Elizabeth Geddes', written over a horizontal line.

Elizabeth Geddes  
Nadia Shihata  
Shihata & Geddes LLP

cc: Alan Scheiner, Esq. (by ECF)